

**East Bellevue Community Council**  
Summary Minutes of Regular Meeting

April 6, 2004  
6:30 PM

Lake Hills Community Clubhouse  
Bellevue, Washington

PRESENT: Chair Bell, Councilmembers Eder, Keeffe, Seal, and Wiechmann

STAFF: Ann Rennick, Associate Planner  
Kevin McDonald, Senior Planner

**1. CALL TO ORDER**

The meeting of the East Bellevue Community Council was called to order at 6:30 PM with Chair Bell presiding. Chair Bell led the flag salute.

**2. ROLL CALL**

Roll was called by the Deputy City Clerk. All Councilmembers were present with the exception of Councilmember Seal who arrived at 6:37 PM.

**3. COMMUNICATIONS – WRITTEN AND ORAL None.**

**4. APPROVAL OF AGENDA**

Mr. Keeffe moved the approval of the April 6, 2004 regular meeting agenda. Ms. Wiechmann seconded the motion.

Following Council discussion, these agenda additions were made:

- 10(a) Status of the Sunset Village Conditional Use Application
- 10(b) Status of Appeal of Ordinance 5308
- 10(c) Parks Wetlands
- 11(a) Commendation
- 11(b) West Lake Sammamish Parkway.

Motion to approve the April 6, 2004 agenda as modified carried with a vote of 4-0.

**5. PUBLIC HEARINGS:**

- (a) Kelsey Creek Center Rezone

Ann Rennick, Department of Planning and Community Development, provided the staff overview. She reported that an application has been received from Nat Franklin requesting a rezone of the Kelsey Creek Center to permit health club uses of less than 5,000 net square feet in area. It is a Process III decision made by the City Council pursuant to Land Use Code 20.35.300-365, with final approval or disapproval by the Community Council.

The Kelsey Creek Center is a 16 acre site located just north of the Larsen Lake portion of the Lake Hills Greenbelt, east of 148<sup>th</sup> Avenue SE and south of Main Street. The purpose of the rezone is to amend the existing 1987 Concomitant Zoning Agreement. This 1987 Agreement was developed at the time this site was reclassified from Neighborhood Business to Commercial Business and intended to mitigate the impacts of reclassification. Consequently, this resulted in the provisions of the 1987 Land Use Code generally governing most of the applicable allowed uses and site development standards, including setbacks, sensitive area requirements, and transition area requirements. The proposed rezone, if approved, will resolve an enforcement action related to the leasing/location of Curves in an existing tenant space last fall.

Chair Bell opened the courtesy public hearing.

Courtney Kaylor, representing the owner of the Kelsey Creek Center, stated that essentially the issue was raised because of an enforcement action that informed the owner that the Curves establishment qualified as a health club under the Code's definition. She stated the proposal is a very limited, straight forward amendment to the Concomitant Agreement. She introduced Cerah and Jim Louthan, owner's of the Kelsey Creek Curves.

Cerah Louthan explained the Curves' operation, stating it was basically a weight loss center for women. The business specializes in helping women lose weight, offering a food program and exercise regiment. She noted various community involvements.

Bill Halgren, 2230 151<sup>st</sup> Place SE, stated his concerns regarding the provision of parking and potential overflow.

In response to Mr. Halgren's concerns, Ms. Louthan stated Curves is a franchise. Curves limits its clientele to 20 persons at any one time for a 30 minute workout. Most of the activity occurs between 6:30 AM and 9:00 AM, prior to the opening of the other business establishments in the Center. Midday, Curves experiences a lull in activity and picks up again after 5:00 PM. She stated, because of the rotation of customer visits, it is unlikely that more than 20 parking stalls will be in use at any one time by the Curves' clientele at this site.

Courtney Kaylor also responded, stating the language of the proposed amendment limits the health club use to 5, 000 square feet making it a very small health club use. In contrast, Bellevue Place Club is 22,000 square feet which is typical of what would be thought of as a health club.

Mr. Halgren stated he could support the limits set.

Mr. Franklin stated that Curves is a predominantly retail outlet store. It is more of a consulting, diet facility designed to get ladies on a healthy program. It is not a health club by any stretch, there are no showers or lockers. Mr. Franklin stated the benefits of having this facility in the shopping center.

Hearing no other public testimony, Mr. Eder moved to close the courtesy public hearing. Mr. Keeffe seconded the motion which carried 5-0.

In response to Mr. Keeffe, Ms. Rennick stated this is a site specific rezone that will amend the current Concomitant Agreement. She explained that the business in question already exists in

this location and that the rezone request is a result of an enforcement action. It does not trigger the redevelopment clause in the Agreement.

In response to Mr. Eder, Mr. Franklin stated the official name of the retail center is Kelsey Creek Center.

Continuing to respond to Mr. Eder, Ms. Rennick stated that under the current definition, Curves is appropriately classified as a health club.

Mr. Franklin stated that FEMA has finally removed the Center from the 100 Year Flood Plain designation. The City's Stream Research Study is nearly finished. Once the Stream Study is complete, they will then be in position to pursue a Center-wide rezone.

Chair Bell stated his desire for the staff report prior to the courtesy hearing, explaining that such a report is helpful to the Council in providing informed comments.

In response to Mr. Seal, Ms. Kaylor explained that the health club use is not allowed as a conditional use under the current Concomitant Agreement.

Ms. Rennick stated that if the Council wished to recommend that the health club use be considered under the Conditional Use process, that is an option.

Ms. Rennick stated staff's support for this application.

Chair Bell recommended that Council continue the courtesy hearing to allow time for staff to prepare a staff report.

In response to Chair Bell, Ms. Rennick stated that this application is not under the 120 day clock.

There was Council consensus to continue the courtesy hearing until the next regular East Bellevue Community Council meeting on May 4, 2004.

Ms. Wiechmann stated her support for this application.

Chair Bell stated he also supports this use.

6. **RESOLUTIONS:** None.

7. **REPORTS OF CITY COUNCIL, BOARDS AND COMMISSIONS:** None.

8. **DEPARTMENT REPORTS:**

(a) 2004 Comprehensive Plan Update: Transportation Element

Kevin McDonald, Department of Transportation, provided the staff report. He reviewed the proposed transportation policy amendments and project recommendations for the 2004 Comprehensive Plan Update.

The 2004 Transportation Element policy amendments are compiled from studies and reports that have been completed during the past several years. The following work is incorporated into transportation policy recommendations:

#### Local Transportation Vision (2001)

The Bellevue Local Transportation Vision was adopted by the City Council in February 2001. The Vision provides a framework for the City to follow as it strives to maintain and enhance mobility for Bellevue residents through the transportation system. The Local Transportation Vision complements the Regional Transportation Vision adopted by the City Council in 1999 and incorporated into the Comprehensive Plan in 2000.

#### Bellevue Transit Plan (2002)

The Bellevue Transit Plan recommends improved public transit service to and within Bellevue, the capital improvements to support the recommended transit services, and a review of and recommendations concerning the transit-supportive policies in the City's Comprehensive Plan. The Transit Plan is comprised of a *Service Element* - Recommended bus service improvements within Bellevue, and better connections to major Eastside and regional destinations; a *Capital Element* - Recommended transit-supportive capital improvements; and a *Policy Element* - Explores different strategies the City might undertake in support of transit.

#### Neighborhood Investment Strategy (2002)

The West Lake Hills Citizens Advisory Committee developed recommendations and priorities to achieve the community's vision. In the final report, recommendations for transportation emphasize safety, mobility and appearance, with suggestions for capital improvements and policy.

#### Downtown Implementation Plan (2003)

In the spring of 2003, the Downtown Implementation Plan Citizens Advisory Committee (CAC) prepared a final recommendation on transportation, urban design, and land use to address changing circumstances and emerging downtown challenges. The CAC's preferred alternative – articulated in the *Final Report on the Downtown Plan Update, June 2003* - includes transportation solutions to address mobility in downtown Bellevue. Policy recommendations of citywide application are included in the Transportation Element, others update the Downtown Transportation Plan.

#### LOS for Highways of Statewide Significance – SR 520 (2004)

Level of Service (LOS) standards for Highways of Statewide Significance (HSS) are set by WSDOT, and Bellevue must adopt these. In Bellevue, I-90, I-405, and SR 520 west of I-405 are currently designated HSS. The state Transportation Commission recommended the state

legislature designate SR-520 east of I-405 a HSS, and thereby falling under WSDOT LOS standards. Legislative action adopted the recommendation in the 2004 session.

Other information, included as background text to support policy amendments in the Transportation Element is derived from:

- King County Six Year Transit Development Plan for 2002-2007 (Proposed Initiatives)
- Puget Sound Regional Council: Metropolitan Transportation Plan – Destination 2030
- Final Environmental Impact Statement: 2001-2012 Transportation Facility Plan.

In response to Chair Bell, Mr. McDonald stated that there is currently no plans to update the Subarea Plans as part of the 2004 Comprehensive Plan update. This update is primarily focused on Volume One and all of the elements in the Transportation Plan. In Volume Two, staff has strategically selected those components that have a critical relationship with the above policy changes. The Subarea Plans will be reviewed in a holistic way when the update periods are scheduled.

Chair Bell expressed concern that the East Bellevue Transportation Study completed in 1990-91 was focused on I-405 eastward to the Lake. The specific project recommendations that went into the Study seemed to meld together with the Subarea policies and were developed in a consistent manner. In response, Mr. McDonald stated that he, as yet, had not done the reconciliation to see if inconsistencies/incompatibilities exist with the new proposal but will definitely do the comparisons.

Next steps include:

- May 4, 2004 – East Bellevue Community Council Meeting
- May 26, 2004 – Community Meeting
- Summer 2004 – Planning and Transportation Commission Review
- Fall 2004 – Planning Commission public hearings.

Council reviewed packet materials with Mr. McDonald.

Mr. Halgren noted project number 545 and its reference to the wetland placement, stating the wetlands are not to the south of SE 16<sup>th</sup> but are in fact to the north of SE 16<sup>th</sup>. He questioned the validity of the project description. He next cautioned the Community Council to recognize that the updating of these various studies includes deleting those projects completed but also the elimination of projects considered no longer viable. He stated that some of these studies were the result of citizen advisory committees that dedicated many hours deliberating prior to making a recommendation. And, some of these studies that are now proposed to be folded into the Comprehensive Plan, had little or no Community Council involvement.

9. **COMMITTEE REPORTS:** None.

10. **UNFINISHED BUSINESS**

(a) Sunset Village

Mr. Eder reported that the Community Council is a party of record in the Sunset Village conditional use proposal. The public hearing before the Hearing Examiner is scheduled for Thursday, April 22<sup>nd</sup> at 7:00 PM.

(b) Appeal of Ordinance 5308

In response to Mr. Eder, Chair Bell stated there is nothing to report. The appeal is currently being reviewed. No decision has been made regarding Supreme Court consideration.

(c) Parks and wetlands

Mr. Eder reported on the Parks Department's response to the Community Council's request for parking at the Lake Hills Greenbelt. He questioned the wetland designation for that site.

Chair Bell suggested that Mr. Eder consult with staff regarding the 100 year flood plain map, stating that the area in question probably falls within its boundaries.

(d) Health Clubs

Mr. Keeffe reviewed the definition for health clubs.

**11. NEW BUSINESS**

(a) Commendation

As an example of Cheryl Kuhn's responsiveness, Mr. Eder stated he spoke with her regarding the need for long lived trees along Lake Hills Boulevard. He suggested the use of Maple or Walnut trees to Cheryl Kuhn, who referred him to a specific staff member. After speaking with this staff person, he learned that the City is considering some type of Asian Maple tree because of its limited growth potential. Because of Ms. Kuhn's genuine interest in the community and her direction, he noted that his questions were answered expeditiously.

Mr. Eder requested Council's consideration of a letter of commendation for Cheryl Kuhn. He noted her outstanding service to the community and asked that the Community Council formally recognize her efforts. There was Council consensus to draft a letter of commendation. Mr. Eder will pen the draft for Council's approval at the May meeting.

On another matter, Chair Bell stated that he had made a point of driving Main Street from 140<sup>th</sup> to 156<sup>th</sup> and that he thought the new median plantings looked terrific. He suggested a follow up letter to the Park's Department stating what a great job they did and expressing the Community Council's appreciation. There was Council consensus.

(b) West Lake Sammamish Parkway

Mr. Eder reported a discussion he had with City Councilmember Claudia Balducci. She informed him of a proposal by West Lake Sammamish Homeowner's Association to downgrade the Parkway's arterial designation. He stated his concern that such a downgrade would impact traffic through East Bellevue neighborhoods. There was Council discussion.

**12. CONTINUED COMMUNICATION:**

Chair Bell noted the email response from Cheryl Kuhn answering questions raised at the March 2<sup>nd</sup> meeting.

Mr. Bell next commented on a correspondence from Steve Costa addressed to the Transportation Commission regarding the Lake Hills Boulevard project from 148<sup>th</sup> to 156<sup>th</sup>. He asked that copies of the memorandum be distributed to the Council.

**13. EXECUTIVE SESSION None.**

**14. APPROVAL OF MINUTES**

(a) March 2, 2004 East Bellevue Community Council Summary Minutes

Mr. Keeffe moved approval of the March 2, 2004 East Bellevue Community Council Summary Minutes. Mr. Seal seconded the motion which carried with a vote of 5-0.

**ADJOURNMENT**

Mr. Keeffe moved adjournment. Mr. Seal seconded the motion, which carried 5-0. The meeting of April 6, 2004 adjourned at 9:00 PM.

Submitted by:

Michelle Murphy, CMC  
Deputy City Clerk